



STATE OF MICHIGAN

Jennifer M. Granholm
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
ROBERT W. SWANSON
DIRECTOR

Michigan Occupational
Safety & Health Administration
(MIOSHA)

CONSTRUCTION SAFETY STANDARDS COMMISSION MEETING

February 7, 2007—2:00p.m.
Rock Financial Showplace – Pearl Room
Design & Construction Exposition 2007
46100 Grand River Avenue, Novi, Michigan
MINUTES

COMMISSIONERS PRESENT:

Larry Redfearn
Lynn Coleman
Don Staley

Valerie Bradley
Patrick 'Shorty' Gleason
Gregg Newsom

COMMISSIONERS ABSENT:

Peter Strazdas

STAFF PRESENT:

Marsha Parrott-Boyle
Paul Wrzesinski
Cindy D. Eicher

MIOSHA Standards Section Program Manager
MIOSHA Construction Safety & Health Division Safety Section Supervisor
MIOSHA Standards Section Secretary

VISITORS:

Pete Anderson, Associated General Contractors
Mr. John Ehlke, English Gardens
Mr. Richard Maxwell, Western Waterproofing
Mr. Anthony Zazo

Ms. Cynthia Hutchens-Smith, Federal OSHA
Mr. Brian P. Murphy, W&H Assoc/Basic Ideas
Mr. Jim Getting, Niles Industrial

MISSION STATEMENT

THE MISSION OF THE CONSTRUCTION SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE MICHIGAN CONSTRUCTION COMMUNITY.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

IT IS OUR VISION THAT WE BECOME A NATIONAL LEADER IN SAFETY FOR INDUSTRY BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.

Agenda Item #1--Call to Order and Roll Call

Vice Chairperson Redfearn called the February 7, 2007 meeting to order. A roll call was taken and a quorum was present.

Agenda Item #2--Approval of Minutes for November 14, 2006 Meeting

A motion was made by Commissioner Newsom and seconded by Commissioner Gleason to approve the minutes of the November 14, 2006 meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #10--Public Comment

Vice Chairperson Redfearn asked the members of the public present if they wished to speak. At this time the members of the public present declined. The commissions and staff introduced themselves.

Agenda Item #4--New Business

- a. Election of Chairperson and Vice Chairperson

Vice Chairperson Redfearn turned the meeting over to Ms. Marsha Parrott-Boyle to conduct the election of officers for 2007. Ms. Parrott-Boyle asked for nominations for Chairperson.

A motion was made by Commissioner Coleman and seconded by Commissioner Newsom to nominate Commissioner Gleason as chairperson. Commissioner Gleason accepted the nomination **MOTION CARRIED UNANIMOUSLY.**

A motion was made by Commissioner Staley and seconded by Commissioner Gleason to nominate Commissioner Bradley as vice chairperson. Commissioner Bradley accepted the nomination. **MOTION CARRIED UNANIMOUSLY.**

Marsha Parrott-Boyle turned the meeting over to Chairperson Gleason.

Agenda Item #3--Standards Section Update-- Marsha Parrott-Boyle, Program Manager

Ms. Parrott-Boyle reviewed the "MIOSHA Goals for FY 2004-2009" and indicated the Standards Section is striving to reduce the backlog of standards to be revised by 70% in this five-year period. Ms. Parrott-Boyle reviewed the progress of rules undergoing revision in detail. The commissioners received a copy of the recently revised standard CS Part 22, Signals, Signs, Tags, and Barricades. CS Part 26 Steel Erection and CS Part 28 Personnel Hoisting in Steel Erection continue to move through the promulgation process and are close to being sent to the director's office for department approval. The Aerial Work Platforms package has been completed and sent downtown to begin to go through the promulgation process.

The Communication Towers Advisory Committee continues to meet, they are close to completing their proposed draft standard and it is anticipated that they will send it for the commissioner's consideration at the May 9, 2007 meeting. The Standards Section is anticipating starting up an advisory committee for Masonry Wall Bracing. We are looking for interested knowledgeable persons to apply for this advisory committee and hope to have applications for the commission to consider at their next meeting.

Ms. Parrott-Boyle advised that the Governor's Appointment Office is aware that we have two vacancies and two commissioners with expired terms. It does not appear at this time there is anything in motion for new appointments to be made to this commission.

Agenda Item #5--Old Business

None

Agenda Item #6--Construction Safety & Health Division Update-- Paul Wrzesinski, Safety Section Supervisor

Mr. Paul Wrzesinski congratulated Commissioners Gleason and Bradley on their newly elected positions.

Mr. Wrzesinski reviewed construction related fatalities for calendar year 2006. There were a total of 25 construction programmed related fatalities investigated by Construction Safety & Health Division (CSHD) by category; 8 falls; 3 cave-ins; 3 electrocutions, 2 explosions, 5 struck-by and 3 caught between. So far in 2007 there have been 2 fatalities investigation by MIOSHA, one in construction and one in general industry. All fatality investigations were initiated within 24 hours.

Mr. Wrzesinski reviewed with the commissioners a recent significant enforcement case. Maco Concrete, Inc. was issued a citation for five serious and willful violations for a total of \$103,600 in proposed penalties for allegedly failing to adequately protect employees from trenching and excavation hazards. One employee of the company died and another was seriously injured when a trench they were working in caved in. This case is also featured in the MIOSHA News Winter 2007 edition.

The CSHD conducted 3153 inspections and issued 6604 violations during fiscal year 2005/2006. They have continued in their efforts to increase inspection time on residential construction and 346 of these inspections were done equaling 11% of total inspections. The division conducted 152 joint inspections during the year.

The CSHD has posted on the MIOSHA website 16 "Construction Fact Sheets". The latest two posted are Bracing Tall Masonry Walls and Exposure to Hexavalent Chromium. Two more facts sheets are in process they are Isocyanates in Construction and Fork Trucks in Construction.

Mr. Wrzesinski reviewed the current partnerships the CSHD has signed and discussed ones that may take place in the near future. A listing of alliances was also provided.

Mr. Wrzesinski informed the commissioners that the two safety officers that started in July are now out in the field conducting their own inspections. Mr. Wrzesinski advised that he was recently promoted to the new CSHD Safety Section Supervisor. The division currently has four positions open, two safety supervisors and two field compliance officers.

Agenda Item #8—Federal OSHA Update - Cynthia Hutchens-Smith, Lansing Area OSHA Office

Ms. Cynthia Hutchens-Smith advised that Federal OSHA has been operating without a budget since the new fiscal year began in October and that it looked like they may continue that way throughout the rest of the fiscal year.

Ms. Hutchens-Smith advised that Cranes and Derricks were in the last phase of proposed rule making and the scope was being worked on. The proposed rule will be reviewed and then forwarded to the management and budget office before being printed in the federal register. Ms. Hutchens-Smith also advised that Confined Spaces in Construction was under the proposed rule stage. The

most recently published rule was Hexavalent Chromium. Ms. Hutchens-Smith reviewed with the commissioners the various effective dates for Hexavalent Chromium.

Ms. Hutchens-Smith noted that Federal OSHA does not have a Tower Erection Standard but in August of 2006 they signed a partnership with the National Association of Tower Erectors (NATE). Their goal is to reduce the injury and illness rates to be lower than the national average. This will be reviewed annually for the next three years.

Agenda Item #7--Michigan OSHA Update--Martha Yoder, Deputy Director

Ms. Parrott-Boyle advised that Ms. Yoder was coming to the commission meeting after a previous engagement in downtown Detroit and may have been delayed. Ms. Parrott-Boyle announced that Doug Kalinowski had returned to MIOSHA as the director after serving for several months as acting director for the department. Therefore Martha Yoder has returned to her position as MIOSHA's deputy director and John Peck to his position as director of the Management and Technical Services Division. The leadership provided while they were all in their acting positions was excellent and much appreciated.

The commissioners received the newest issue of the MIOSHA News which contains information on the Maco Concrete Fatality as well as information on the initiative of Connecting MIOSHA to industry. This should improve communications and coordinate the enforcement and consultation interventions.

Ms. Parrott-Boyle stated she had nothing specific she could report on the budget other than to say that it is tight and that we are looking for ways to cut back spending. One item we will be eliminating is providing coffee and refreshments at the commission meetings.

Agenda Item #9--Next Scheduled Meeting

The next scheduled meeting is May 9, 2007 at the General Office Building in Lansing, Michigan.

Agenda Item #10--Public Comment

Mr. Anthony Zazo inquired on how he could obtain copies of specific standards. Ms. Marsha Parrott-Boyle replied that he could either order them through our office or order them from our web site at www.michigan.gov/mioshastandards. Mr. Zazo also asked if MIOSHA had made changes in their rules to require use of hard hats and safety glasses across the board for any MDOT projects. Mr. Wrzesinski asked that MIOSHA would only require use of safety items if the situation required it to keep employees safe. MDOT may have other requirements for project that are done for them which would not fall under our requirements.

Mr. Pete Anderson requested the status on requested changes to Part 2 Masonry Wall Bracing. Ms. Parrott-Boyle advised that the advisory committee for that standard is the next one that will be starting to meet. The commission hopes to have enough applications brought to their May 9, 2007 meeting in order to get the committee started up after that meeting. Ms. Parrott-Boyle advised that Christine Hundt will be facilitating the Mason Wall Bracing Advisory Committee.

Agenda Item #11--Adjournment

With no further business before the Commission, the meeting was adjourned